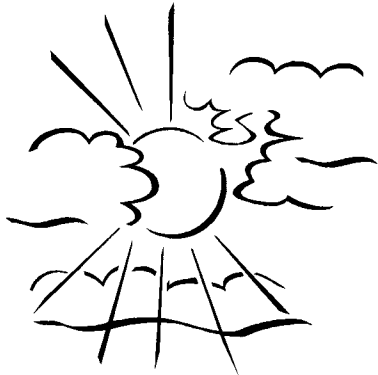


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# **Articles in Today's Clips**

## **Wednesday, February 22, 2006**

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[ From the Lansing State Journal ]

## Judge suppresses Holland statements

*Published February 22, 2006*

*By Kevin Grasha*

*Lansing State Journal*

MASON - Statements that Tim Holland made to police blaming his wife for their son Ricky's death cannot be used against either parent, a judge ruled Tuesday.

District Court Judge Rosemarie Aquilina sided with defense attorneys, who said Tim Holland made an agreement with prosecutors before talking to police Jan. 27 that his statements would not be used against him.

Despite the statements being suppressed, prosecutors remain confident.

"It doesn't help, but it certainly does not preclude this prosecution," Ingham County Prosecutor Stuart Dunnings III said Tuesday evening. "We're still a long way from whether a jury will or will not hear this."

Dunnings emphasized that murder cases against both Tim and Lisa Holland are moving forward. The Williamston couple - who have accused each other of killing Ricky - remain in Ingham County Jail.

As part of her ruling, Aquilina said Tim Holland's interview can be used only to call into question his credibility.

Tim Holland's attorney, Frank Reynolds, said after the hearing in 55th District Court that it is too early to know what effect the judge's ruling will have.

"Until we get a little more information and understand more about the case, it's very difficult to say," he said.

Andrew Abood, one of Lisa Holland's attorneys, said prosecutors had no legal standing to use Tim Holland's statements against her.

"It violated our right to cross-examine him," he said.

Ricky was reported missing in July. His remains were found Jan. 27 in a rural site in southern Ingham County.

A 92-page transcript of Tim Holland's interview with police has not been released. According to court records, he contends his wife killed Ricky by striking him in the head with a hammer.

Also Tuesday, lawyers for Lisa Holland demanded photographs from Ricky's autopsy, which prosecutors have not turned over. Aquilina said she would review the photos and decide whether to give them to defense attorneys.

Lisa Holland's attorney Mike Nichols said her lawyers have a right to see what prosecutors have.

"The only way to determine what might be truthful and what might not be truthful about the statements in question is the forensic evidence," he said. "We want to have our own independent person look at the evidence; that includes those photos."

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# Statement out in Holland case

Wednesday, February 22, 2006

By Scott Hagen  
shagen@citpat.com -- 768-4929

MASON -- Three weeks ago, Tim Holland told police his wife killed their 7-year-old son with two hammer blows to the head.

A decision Tuesday will prevent that statement from being used as evidence during court proceedings regarding the death of Ricky Holland, who was reported missing July 3 from the family's Williamston home.

Ingham County District Judge Rosemarie Aquilina ruled the statement was inadmissible in the prosecution of Holland and his wife, Lisa, because it was made during plea negotiations for Tim in a Jan. 27 interview with police.

"It was a big part of the prosecution's case, no doubt about it," said Andrew Abood, defense attorney for Lisa Holland, Tim's wife.

The Hollands, both of whom have pleaded not guilty to murder, lived in Jackson for a number of years until April, when the family moved to Williamston.

Assistant Prosecutor Mike Ferency argued that Tim Holland gave false information to police during the interview -- such as the extent of the child's fractured skull and shoulder bones. This should have voided any plea prosecutors offered Holland and allowed his testimony to be used against him, Ferency said.

Following the interview, Holland led police to his son's decomposed body near Dansville. Tim and Lisa Holland were arrested that night. They were charged with obstruction of justice and, later, open murder.

"The fact that he took the police to the body was a wonderful thing, and the right thing," but it does not equal truthfulness, Ferency told the court.

Dennis Hurst, Tim Holland's defense attorney at the time of the interview, testified Holland was told by prosecutors his cooperation would equal immunity from murder charges.

As part of the plea agreement with Ingham County prosecutors, Holland agreed to explain what happened to Ricky and reveal where the body was; in exchange he would face charges of filing a false police report, obstruction of justice and accessory after the fact.

After the decision Tuesday, Ferency indicated he would ask for a reconsideration, or possible appeal. He also said he is considering adding charges of first-degree child abuse against the Hollands, which could include witnesses from Jackson, to substantiate the charges.

Ferency said the case was "an awful long road with a couple of twists and turns that may end with a different result."

Attorneys from both sides will return to court Friday for another pretrial hearing. A preliminary examination is scheduled for Tuesday.

-- The Associated Press contributed to this report.

# Teacher accused of molesting students denied bond reduction

By Michael P. McConnell

Daily Tribune Staff Writer

PUBLISHED: February 22, 2006

OAK PARK — An Oak Park school teacher accused of molesting two kindergarten boys in a classroom remains in jail after a judge refused to lower his bail Tuesday.

At a pretrial hearing in Oak Park, 45B District Judge David Gubow refused a request from defense attorney Raymond Correll for a reduction in James Norman Perry's \$100,000 cash bond.

Gubow also set a preliminary hearing date for March 9 where prosecutors say the two boys will testify against Perry.

Perry, 32, of Ferndale, is accused of sexually assaulting one boy and then fondling the other boy in a darkened classroom on Oct. 15, prosecutors say. Both the boys were 5 years old at the time.

Correll said there are weaknesses in the case against Perry, but declined to discuss the issue further.

"He maintains his innocence," Correll said of Perry.

The incident happened at Key Elementary School, 23400 Jerome, where Perry was a teacher, according to prosecutors.

Oak Park school officials said in a statement that they suspended Perry after the allegations initially surfaced in 2005, but subsequently heard from police that there was insufficient evidence at the time to charge Perry. Perry was then transferred to Roosevelt Middle School from the elementary school.

But a week ago police arrested Perry at his house and he was charged with single counts of first-degree and second-degree criminal sexual conduct, and assault with intent to commit sexual penetration.

"The case was originally denied by prosecutors and then they later reauthorized it," Correll said.

Oakland County Assistant Prosecutor Nicki Weisberger said there is now more evidence against Perry than there was previously.

Perry has no prior criminal record.

The case came to the attention of police after the mother of one of the boys went to the school and saw her son come out of the classroom where the alleged incident happened, prosecutors say. The mother told police the boy looked nervous and upset. Weisberger exclusively prosecutes sexual assault cases and said she is not surprised to be prosecuting a school teacher.

Child molesters "look like everybody else," she said.

Perry's preliminary hearing in Oak Park is set for 10 a.m. March 9.

# Lakeside director resigns Henry's sudden departure termed a 'mutual decision'

Sunday, February 22, 2006

By Julie Mack

[jmack@kalamazoogazette.com](mailto:jmack@kalamazoogazette.com) 388-8578

The man named 15 months ago to rebuild the troubled program at Lakeside for Children has resigned.

James Henry submitted his resignation Monday during a meeting with Lakeside's board of directors, said Amy Upjohn, board president. Donald Nitz, 60, who retired in February 2005 as the Kalamazoo County Juvenile Home superintendent after 20 years there, was named acting director.

Lakeside was shut down in June 2004 after state inspectors from what was then called the Family Independence Agency, now the Department of Human Services, decided residents were out of control and harming themselves and staff. Its director resigned and the FIA removed the 36 clients its offices had placed at the facility. Eight other clients also were removed.

"When we hired Jim, what we asked him to do is rebuild the program to make it safe for kids and staff and make sure the staff is retrained," Upjohn said. "He has done that, and he's done an outstanding job."

She also said, however, that the nonprofit center is losing money and its client volume is well below what is needed to break even.

The Kalamazoo Gazette was unable to reach Henry for comment.

Upjohn said "it was a mutual decision" that Henry return to Western Michigan University, where he was a social-work professor and administrator of the Southwestern Michigan Children's Trauma Assessment Center.

Henry was on leave from WMU, she said, and "decided he had done what we'd asked him to do, and he got us through the first phase."

Lakeside for Children, formerly called Lakeside Treatment and Learning Center, is a 73-bed residential facility for children who are victims of abuse and neglect. It's located on 46 acres off Oakland Drive on Kalamazoo's south side.

Henry, a highly regarded expert in working with troubled children, was named executive director in November 2004. He introduced a new program model at Lakeside that teaches youths to recognize their emotions and regain self-control, moving away from use of restraints and solitary confinement.

Upjohn said Henry has been successful in implementing the new program but that the agency continues to have a low daily census and is losing money.

Lakeside currently has 18 residents and 86 staff members. The agency gets most of its clients from the state and other public agencies, such as the Kalamazoo County Department of Human Services and Kalamazoo Community Mental Health & Substance Abuse Services.

In 2004, Lakeside officials said they needed about 32 residents to break even financially. On Tuesday, Upjohn said it was important for Lakeside to increase its numbers but no goal or timetable has been set for that.

Upjohn declined to say how much money the agency is losing each month or specify its deficit in 2005, other than to say the amount is "significant."

"Rebuilding a program is very expensive, and we're looking very closely at that," Upjohn said. "We've not had to go into the endowment. We were blessed to have a rainy-day fund, and we had a rainy day."

Lakeside's tax return from 2004 -- the latest available -- when it had few or no clients for much of the second half of the year, shows revenues of \$1.9 million, expenditures of \$3.5 million and net assets of \$11.6 million.

Nitz said an increased emphasis on community-based programs and foster care for children rather than residential facilities such as Lakeside has made it "a hard market out there right now" to recruit more clients.

"We have to be creative and unique in how we design and market our programs," Nitz said.

On the plus side, local children are again using Lakeside. In the few years before the agency was shut down by the state, it was increasingly shunned by Kalamazoo County agencies concerned about the quality of Lakeside's program. But under Henry, 75 percent of Lakeside's clients in 2005 were from Kalamazoo County, Upjohn said.

The FIA restored Lakeside's regular license in January 2005. There have been no complaints filed with the state since, a spokesman said Tuesday.

"We've got qualified, well-trained staff all over the place," Nitz said. "We just need kids."

Nitz and Upjohn said no timetable has been placed on Nitz's tenure at the agency.

"The board needs to look at what we want in our future executive director," Upjohn said.

"Eventually we'll do a search, but we're not ready to talk about that."

This is the second time Nitz has come out of retirement. He initially retired from the Juvenile Home at the end of 2003 to take advantage of a county buyout offer, but returned for a year at the Kalamazoo County Board of Commissioner's request before leaving for good in February 2005. He joined the Lakeside board last summer but is resigning from his board seat to take the directorship.

Nitz said he'd been enjoying retirement but is accepting the Lakeside offer because "I have a body of expertise that fits nicely with their needs."

For now, Nitz said, he's staying at Lakeside's helm indefinitely. "I'm leaving it wide open," he said.

# Lakeside for Children

Sunday, February 22, 2006

## Milestones in Lakeside history:

1907: Lakeside Farm Boys Home opens as an orphanage.

1950s: Lakeside shifts its focus to neglected and abused boys.

1963: Lakeside merges with Dewing Hall, a residential facility for girls.

2001: A \$6.8 million renovation includes new classrooms, a dining hall and cultural center.

2002: A new center opens to provide crisis intervention and short-term assessment and treatment.

June 2004: Lakeside is shut down after several disturbances involving residents. The 44 clients are moved to other facilities.

November 2004: James Henry is hired to implement a new program model and retrain the staff.

January 2005: The state fully restores Lakeside's license.

February 2006: Henry resigns and Donald Nitz, retired superintendent of the Kalamazoo County Juvenile Home, is named acting director.

# Lakeside's recovery

Kalamazoo Gazette Editorial

Sunday, February 22, 2006

By mutual agreement, the person hired slightly over a year ago to turn around the troubled Lakeside for Children and the board that hired him are parting ways.

In many ways, we are sorry for the departure.

Jim Henry, who headed Lakeside since November 2004, has been a long-time advocate for troubled children and teens.

We applauded his hiring then, recalling his tenure on the Kalamazoo Community Mental Health Authority board, during a troubled time for that agency.

Henry came with impressive credentials. He was co-founder and director of the Southwest Michigan Children Trauma Assessment Center at Western Michigan University. He was named Michigan Child Advocate of the Year in 2003.

He is returning to WMU.

No one was willing to go into the details of Henry's departure.

Amy Upjohn, Lakeside board president, said, "He decided he had done what we'd asked to do and he got us through the first phase. Now he's ready to go back to Western."

When Lakeside was shut down in 2004, out-of-control residents made it an unsafe place and local agencies refused to send children there.

Since Lakeside reopened under Henry, 75 percent of its clients have been from Kalamazoo County, testimony to the trust and reassurance that Henry has regained for Lakeside.

No complaints have been filed with the state in that time.

But Lakeside is still having difficulties. It has 73 beds, but currently has only 18 residents and 86 staff members.

In 2004, officials there said Lakeside needed about 32 residents to balance its books.

If Henry was about reforming programs and advocating for kids and restoring integrity to the program, his successor, Don Nitz, will be about administration.

Nitz is a reliable and well-known quantity in Kalamazoo County. He headed the Kalamazoo County Juvenile Home during times of difficulty, trying to run a good program in dilapidated facilities. He has dealt with some of the toughest cases in the county.

Nitz has excellent administrative skills. We have confidence that the integrity Lakeside was regaining under Henry's tenure will continue under Nitz.

With Nitz at the helm, Lakeside should be able to bring its census up, allowing the agency, once famed for its excellent work with abused and neglected children, to operate in the black once again.

We hope Lakeside will thrive again.



# NYC police get more child welfare calls

2/22/2006, 10:20 a.m. ET

By DAVID B. CARUSO  
The Associated Press

NEW YORK (AP) — The number of child abuse complaints referred to police by social workers has soared since the highly publicized torture-slaying of a 7-year-old girl, threatening to overwhelm investigators, the head of the police department says.

Police Commissioner Raymond Kelly said the surge comes from heightened vigilance following the deaths of 7-year-old Nixzmary Brown and several other children who had been monitored by the city's Administration for Children's Services.

Prosecutors said Nixzmary was bound, tortured and beaten to death by her stepfather, although ACS workers had been investigating reports that she had been missing school and had severe bruises.

Child welfare workers have been sharply criticized for failing to get police more actively involved sooner, but Kelly said the furor may now be provoking an opposite response with social workers asking for police intervention too often.

"We must exercise caution not to over-utilize the protocol, and thereby make it more difficult to respond appropriately to the critical cases the protocol is meant to cover," he said.

Kelly told a City Council committee on Tuesday that the number of cases welfare workers have referred to the police department's Special Victims Division has climbed 65 percent since Nixzmary's Jan. 11 death.

There was a 226 percent increase in requests for action by the division's instant response teams, which are usually deployed only when immediate action is needed to rescue a child being severely abused, molested or starved, he said.

Nixzmary's mother, Nixzaliz Santiago, and stepfather, Cesar Rodriguez, have pleaded not guilty to murder, manslaughter and other charges.

**Metro Detroit**

## **School workers' conviction list is being corrected**

February 22, 2006

BY PEGGY WALSH-SARNECKI  
FREE PRESS EDUCATION WRITER

After being criticized for mistakenly identifying innocent public schools employees as felons, the Michigan State Police will put out a new list of workers with criminal records.

The new list, however, will be checked for accuracy by the State Police before it's turned over to the Michigan Department of Education in March. The previous list was not checked, and the Michigan Education Association said the earlier background checks falsely linked school employees to crimes they did not commit.

"Let's hope they do it right this time," said Margaret Trimer-Hartley, communications director for the statewide teachers union. Rechecking the convictions turned up in the initial search "seems to be a reasonable solution, and it should have been done in the first place," she said. The criminal background checks are part of new laws aimed at ridding schools of sex offenders. Anyone with a sexual offense must be fired immediately. The laws not only require checks for all school employees, but also anyone contracted to work regularly in schools or day care centers.

The state Department of Education told school districts to return the first set of lists after a federal judge issued a temporary restraining order earlier this month.

The new list comes too late for Patricia Dodds of Pickford in the Upper Peninsula. A paraprofessional with the Eastern Upper Peninsula Intermediate School District in Rudyard, she said Tuesday that she was fired when her name appeared on the first list saying she had been convicted of criminal sexual conduct.

"The damage is already done," Dodds said. "My life has been turned upside down, since two weeks ago when I was technically terminated from my job."

Dodds said she has never been convicted of anything more serious than a traffic ticket. But she still had to use her own time and money to prove her innocence before she was reinstated.

"It's ... devastated my entire life. It's embarrassing, I don't sleep at night," Dodds said. "I think overall the law's great, but I honestly thought when they hired us, they did a background check." Fingerprinting and background checks for all teachers and administrators are required before being hired. But those records were never kept, and now current employees have to be rechecked.

Tim Bolles, identification and criminal history section manager for the Michigan State Police, said the police were redoing the list at the education department's request.

"They're doing it again because the legislation requires that a list be provided," Bolles said. "Our plan is to have the list, and any positive hits verified and the final list of convictions to the department by March 31."

Bolles did not know how much it would cost to run the second list with the additional checks because this is the first time it's been done. But he said the only real cost would be administrative and would be paid for by the Michigan State Police.

"We anticipate just being able to do this utilizing our regular staff and not taking them away too much from their regular jobs," Bolles said

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Wednesday, February 22, 2006

## **School employee background checks gain accuracy State police will verify names that match list by checking birth dates, conducting interviews.**

Christine MacDonald / The Detroit News

The Michigan State Police is promising precision in its second attempt at checking the criminal histories of school employees, even potentially sending staffers to schools for in-person interviews to verify matches between lists of school workers and people in the criminal database. The agency promised to do a second round of checks after school districts and unions reported the original list of ex-cons sent to districts a month ago was riddled with errors. A federal judge ordered the state to recall the original list because of mistakes.

The state police used names and Social Security numbers to make matches, but part of the problem was that in many arrest records, there weren't any Social Security numbers. So if names matched, that was enough to get a hit, said Tim Bolles, who heads the police criminal history section.

Now several more layers of verification will be used, including date of birth and gender, he said. State police employees may be sent to schools to interview employees if there are any questions. The lists will be sent to districts after they are verified, which is expected to be by March 31.

Unions said they welcome more accurate checks.

"That they are putting an extra layer of scrutiny in place is encouraging," said Margaret Trimer-Hartley, Michigan Education Association spokeswoman. "(But) this sounds like a process that should have been put in place in the first place."

The background checks were initiated to remove employees who found jobs in schools despite being convicted of dangerous crimes.

Bolles said earlier this month that they just used names and available Social Security numbers in the first check because they believed the report would stay within the Michigan Department of Education.

The original search revealed school employees with more than 4,600 criminal offenses, 2,200 of which were felonies, including murder, sex crimes and kidnapping.

Unions argue the mistakes have caused unnecessary stress for innocent employees and may cause the state to miss criminals who should be removed.

*You can reach Christine MacDonald at (313) 222-2269 or [cmacdonald@detnews.com](mailto:cmacdonald@detnews.com).*

### **What's next**

The Michigan State Police hopes to complete the verification process of a second criminal background check of school employees by March 31, when it will pass the list to the Michigan Department of Education.

# State police revamp school employee criminal list

*Wednesday, February 22, 2006*

*By Judy PutnamLansing Bureau*

*MLIVE*

LANSING -- A new, more accurate list of school employees with criminal records will be generated by the end of March, freeing panicked workers wrongly listed on an earlier version from having to prove their innocence.

Instead, the Michigan State Police will do the work.

"The Michigan State Police will use its expertise to individually verify the information to eliminate false positives and remove the burden of proof from individual school employees," Col. Tadarial J. Sturdivant, director of the Michigan State Police, said in a statement Tuesday. The new plan follows the Feb. 1 mailing to school districts of some 1,500 names that matched criminal records. Hundreds of workers told school employee unions that they were listed in error. Based on the inaccuracies, an Ingham County Circuit Court judge ordered the Michigan Department of Education not to release the list under the state's Freedom of Information Act, and a U.S. District Court judge ordered schools to halt disciplinary action based on the list. The federal court also told the department to recall the list.

Tuesday, state officials promised a cleaner version. It will use name, gender, date of birth and, where possible, Social Security numbers, to match records and identities, said Tim Bolles, identification and criminal history manager of the Michigan State Police.

Those multiple matches weren't done previously when more than 200,000 names were run through a computerized criminal history database. A new software program will use multiple filters to produce an accurate list, he said.

Bolles said any remaining "false positives" will be the result of true identity theft, where a Social Security number, name and birth date were used illegally.

Martin Ackley, spokesman for the Michigan Department of Education, said in a press release that the list is expected to be finalized by March 31. The names will be sent to the districts at that time.

Critics said it's the least the state can do.

"It's too bad they didn't start with this and avoid the two weeks of chaos to begin with," said Margaret Trimer-Hartley, spokeswoman for the Michigan Education Association, the state's largest teachers union.

It's unclear when a list will be released to the public, but lawmakers are working on a bill by Rep. Rick Baxter, R-Hanover, giving districts 14 days to verify the information before releasing it. It also requires the release only of felony convictions and misdemeanors involving assault or sexual offenses.

The Michigan Press Association said the state FOIA already allows enough time to verify the information. It argued that all misdemeanors should also be included in the public release of information.

# Former felons can appeal job terminations

Tuesday, February 21, 2006

By Nardy Baeza Bickel  
The Grand Rapids Press

GRAND RAPIDS -- School employees who have committed felonies would have a chance to appeal their termination under a temporary policy presented to the school board Monday. Currently, employees convicted of a felony or who committed a felonious behavior but plead to a misdemeanor are fired and cannot appeal their terminations.

"It gives us more flexibility to review each case as long as it's in compliance with state law," Bleke said.

The changes come in part as a response to a new state law that requires all employees to be fingerprinted and their background checked for any criminal sexual charges and felonies.

The law gives school boards the authority to decide whether a convicted felon may remain in the district but requires immediate firing of those with sex-related charges.

Since 1995, it has been district policy to fire all employees convicted of felonies during the course of employment with the school district and forbids the hiring of any applicant with a felony record.

The new policy would give the board the flexibility to consider, for example, the age of the employee when the felony was committed and whether the employee disclosed the charges.

The seriousness of the charges also would be considered, administrators said, adding "mooning" someone as a teenager 30 years ago probably wouldn't get a teacher fired.

If approved by the board, the policy would take effect immediately and would be revised at the end of the summer.

Assistant Superintendent Fredericka Williams said the change would affect employees hired before the 1995 policy took effect, who were grandfathered in and those who did not disclose felonies convictions since that policy was passed.

Board member James Rinck opposed the changes, saying they would force the board to decide what type of felonies would be acceptable and which ones wouldn't

*MIRS*

*February 21, 2006*

## **New MEA Head Leary Of Good List**

In her first public statement since taking over the presidency of the state's largest teacher's union, Michigan Education Association (MEA) President Iris **Slater** said she is not very confident that the Michigan State Police (MSP) can produce a flawless registry of potential crooks in the classroom.

Slater applauded the pulling back of the original list after numerous errors were found, but quickly added, "It does not go far enough."

Given the number of errors in the first list that was blocked by the courts from being released, Slater is not upbeat about the current review by the MSP, which should be completed by March 1.

"I'm not very confident," Slater said. "I think there are going to be some mistakes in any list they put out."

She advised the MSP to concentrate on possible sexual predators and denounced the wide net that was used to compile the first list that included other crimes.

"It was a power trip" by lawmakers, she complained. She contended the Legislature wants to "keep adding this and that" and wants to "keep treating educators as second-class citizens."

Published February 22, 2006

## **Probate judge lashes out at Highfields' management**

### **Top staff must go, says jurist for Ingham County**

By T.M. Shultz  
Lansing State Journal

Highfields must replace the people in charge before Ingham County returns youths to the Onondaga facility, a family court judge said Tuesday.

"I'm not sending another kid to Highfields until they get rid of their management staff and replace them with competent folk," said Probate Court Judge Richard Garcia, who supervises seven of the 18 Ingham youngsters pulled from the facility last week.

After an internal investigation into allegations of mistreatment, two Highfields employees have been fired for not following the facility's rules.

But Garcia said that is not enough.

He specifically referred to Highfields President Jim Hines.

"The guy's ineffectual and I'm not trusting my kids to that program as long as he's in charge," Garcia said.

Judges decide where children who have gotten into trouble will be sent for treatment; the county pays the bill.

Hines did not return calls seeking comment left at his office or delivered to him through two Highfields' board members.

Those board members said Tuesday that they didn't know whether any youngsters remain at Highfields.

In addition to Ingham County's removal last week, the state removed all 15 boys under its care Friday after its preliminary investigation determined they were not safe there.

Suspended, then fired

Highfields board Chairman Charles Corley said Tuesday that two employees have been fired for taking a youngster who was acting up outside without a coat for about 30 minutes.



The workers had been suspended since Feb. 13, when the incident occurred, Corley said. That information had not been released until Tuesday.

Corley said the two staff members took a youngster outside to calm him.

"There was a point when (the youth's) attitude rose up and de-escalation failed," Corley explained.

"When (the counselors) grabbed him, that's when they fell, both a counselor and the youth."

Corley noted that the counselors were not fired for putting their hands on the youngster or for the fact that the youngster ended up in the snow, but for walking him around outside without a coat.

Judge wants explanation

Garcia said Tuesday that he still hadn't received an explanation about the allegations.

Ingham County family court judges say they didn't learn about either allegation until teachers who work with the boys at Highfields reported them.

The second allegation involves a youth who reported being harassed by other youths in his cottage. Asked for details about that incident, Corley said he could provide none. He said he wasn't sure that Highfields' internal investigation was complete, although Hines told the Ingham County Board of Commissioners on Thursday that it was.

Another Highfields' board member, Brian Cavanaugh, also was uncertain of the status of the internal investigation five days after Hines said it was finished.

"I don't know if it's completely finished," Cavanaugh said.

"An initial report has been prepared or is in the process of being completed."

He noted that board members are volunteers with jobs of their own and often don't have a lot of time to devote to overseeing the facility.

Both men said they would find out about the second investigation and other questions and call back, but they either did not return phone calls or could not be reached later.

Two options

Garcia said Highfields has done much good in the past. But now, he said, he sees only two options for the embattled treatment facility: Either another private entity should take over its management or the county should step in and run it.

Contacted about the possibility of Ingham taking over Highfields, County Board of Commissioners Chairman Victor Celentino said he hadn't heard of that idea.

If the judges decide that's what they want to do, Celentino said, they will have to present the request to the county's judiciary committee.

"If it's a recommendation, we'll look at it," he said.

A second investigation into whether Highfields' counselors are guilty of any crime is continuing by the Ingham County Sheriff's Office, a spokesman said Tuesday.

In addition, the state Department of Human Services is investigating whether Highfields is in violation of its contract with the state or its license. Details on the agency's preliminary investigation are not yet being released, officials said.

Contact T.M. Shultz at 377-1061 or [tshultz@lsj.com](mailto:tshultz@lsj.com).

### **State already was working on revamping rules**

State rules adopted in 1983 that govern private facilities such as Highfields will be revised by September.

"This is our oldest set of rules and we obviously need some updating," said Miriam Bullock, division director of child welfare licensing for the Department of Human Services.

She said the update has been in the works for some time and wasn't prompted by the problems at Highfields.

Bullock said she agrees with national experts that physical restraint should be used on youngsters only when they are trying to hurt themselves or others trying to escape.

But the state allows physical intervention as long as it is not "severe," "cruel" or "excessive."

Current state rules require a caseworker at a private facility to have a high school education, no criminal record, be emotionally stable, and complete 50 hours of training in the first year of employment and 25 hours of training each year afterward.

By June or July the state will start convening committees to help in the rule revisions, she said.

Public hearings also will be held.

# Discovery student likely to face assault charges

Wednesday, February 22, 2006

The Grand Rapids Press

WYOMING -- The Kent County Prosecutor's Office has authorized charges against a 17-year-old Discovery High School student who allegedly was involved in a fight last week that left a teacher with a fractured skull, a juvenile court worker said.

If approved by the court, the teen would face three charges -- felonious assault, assault and battery and aggravated assault -- against three victims -- two school employees and a fellow student at the Kelloggsville alternative school.

The aggravated assault charge would cover the injuries suffered by teacher Margaret Bauw, whose skull was fractured when she allegedly was pushed to the ground while trying to stop a lunchtime fight between two students. She was treated at Spectrum Health Butterworth Campus. The case against the student, who was 16 at the time of the incident, will be handled in juvenile court.

The charges have yet to be approved by the court. The teen's name is being withheld until he is formally charged.

The teen has been lodged in the county's juvenile detention center and apparently has no previous criminal record, a court worker said.

# Governor defends health care plan

Web-posted Feb 22, 2006

By SVEN GUSTAFSON  
Of The Oakland Press

Seeking to deflect criticisms over potential costs, Gov. Jennifer Granholm said Tuesday her \$1 billion proposal to extend health insurance to a half-million uninsured residents wouldn't require extra spending. She said the program would help small businesses.

Speaking during a visit Tuesday with The Oakland Press, Granholm said she discussed the proposal in January with Health and Human Services Secretary Michael Leavitt. Leavitt instituted a similar program as governor of Utah, and Granholm noted similar efforts are under way in Massachusetts and New York.

The plan, first unveiled in Granholm's State of the State address in January, would use \$400 million the state already spends on health care outside Medicaid. It would be matched with \$600 million from the federal government to provide basic insurance through private companies. Granholm said each family currently pays roughly \$700 per year in health care premiums to subsidize health care for Michigan's uninsured.

"You would have small businesses now being able to offer health care, potentially, if they wanted to take on the premium cost," Granholm said. "It would be cost-sharing, and it would encourage people to care for their health upfront. So I think it's a win-win-win all the way around."

Granholm also touted her proposal to set up a public-private 401(k) program to target small businesses that don't currently offer plans.

"It's really a way to encourage savings on the part of individuals because we don't save enough now," Granholm said.

But the initiatives are expected to face tough opposition in the Republican Legislature.

Ari Adler, spokesman for Senate Majority Leader Ken Sikkema, said Republicans are skeptical of the governor's claim of being able to insure 550,000 residents at no additional cost to the state. And he said details of the plan have been hard to come by.

Also, Adler said small businesses usually complain about the state's taxes or regulatory burdens - not an inability to provide retirement savings accounts to workers.

"If we were flush with money and the economy was booming, there might be a different take on all of this," he said.

Granholm is expected to face a tough re-election battle this year against Republican businessman Dick DeVos, who plans to make two campaign stops today in Bloomfield Hills. A key issue in the race will be the state's high unemployment rate and anemic economy.

Granholm said Tuesday her administration is working to improve the economy by restructuring business taxes and training unemployed workers to fill 90,000 vacant positions, mostly in nursing and skilled trades. Granholm also touted plans to accelerate infrastructure projects and said using up to \$2 billion in a recently passed investment fund targeting emerging sectors has already drawn interest.

Noting that last week was the deadline for letters of intent from companies hoping to use the fund, Granholm said: "We had 807 companies file letters of intent saying they were seeking to expand and grow in Michigan. It's just way over what we thought we'd get. We thought we'd get a couple hundred."

The companies must still file proposals, and Granholm said investment money is expected to be distributed beginning in summer.

# Senator visits seniors

By Sally Barber, Cadillac News

CADILLAC - While Medicare Plan D was designed to help seniors reduce prescription drug costs, it has instead created widespread frustration among the older population and health care community.

"A lot of people are totally confused, upset and crying," said senior Barbara Johns, a member of the Wexford County Council on Aging Board.

The federally subsidized prescription drug program was launched Jan. 1. A voluntary prescription insurance program, it is open to anyone eligible for Medicare.

The list of problems emerging with the plan's implementation seems as long as Waive McDonald's list of attempts to register for coverage. McDonald spent countless hours on the phone trying to get the information she needed to complete her registration.

"I spent days and weeks calling," she said. "Every day I would call and be transferred to another and another and another."

Scott Schryer, a trained COA Medicare counselor, finally helped her through the maze Tuesday.

While the COA has provided Plan D counseling for several months, they have been able to help only 300 of the county's 5,000 seniors.

U.S. Sen. Carl Levin, D-Mich., met with area seniors, health care professionals and elder advocates at the Cadillac Senior Center Tuesday to address some of the issues inherent in the plan.

"This is not like other Medicare programs," he told those gathered. "This is a free market program where Medicare will pay a part of the cost."

Levin, who didn't support the program's passage, said the plan fails to provide flexibility, increases prescription costs for many, putting the squeeze on seniors with limited incomes. Among other issues, the program has encouraged employers already providing retiree prescription drug coverage to scale back.

"It's not a matter of working out the bugs, snafus and start-up problems. Sooner or later those will get worked out," Levin said. "After that, there are problems from the way it was designed. Only legislation can cure those problems."

Despite the program's shortcomings, Levin urged seniors without drug insurance coverage to participate.

"If you don't have a prescription program, do your best to figure out the complexities and sign

up,” he said.

Levin and U.S. Sen. Debbie Stabenow, D-Mich., have introduced a Medicare Plan D reform bill that aims to address what the legislators believe are the plan's most serious flaws.

It would restore discount programs, provide guarantee of drug coverage until seniors have the opportunity to switch plans, and waive co-pays for former Medicaid recipients who were involuntarily moved into the prescription program.

It would also allow for negotiating bulk discount pricing with pharmaceutical companies.

Seniors have until May 15 to register for Medicare Plan D. After the deadline, a financial penalty will be attached that will remain permanently with an individual's account.

Levin said because of the level of frustration caused by the program, a registration extension could be put in place.

During the remainder of the week Levin will meet with seniors in Farwell, Mount Pleasant, Midland, Saginaw, Lansing and Flint.

He asked Cadillac citizens to continue to share their experiences with the prescription program.

“When you have real live people with real world experience to bring to the senate, it helps change things,” he said.

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## **Update: Giving youth a chance**

The Lutheran first reported on Shakala Johnson and Lutheran Social Services of Michigan's program to help youth who age out of foster care in February 2003. Due to this work, the agency was awarded a contract to administer the state's Educational Training Voucher program.

Michigan officials awarded Lutheran Social Services of Michigan a three-year contract to administer the state's Educational Training Voucher program, with federal funds provided under the Safe and Stable Families Act. Begun Jan. 1, LSSM's program will provide youth who have aged out of foster care the funds to pursue college or vocational education.

"To my knowledge, this is the first time the state has contracted externally for this service," said Don Austin, LSSM's associate vice president for Children & Family Services. LSSM has many programs to help youth live independently, including a Self-Sufficiency Program to give older teens and young adults financial support, housing and skills training ("Youth get help going out on their own," The Lutheran, February 2003).

Austin said 25 percent of youth who age out of foster care (age 18 or upon high school graduation) become homeless or enter the criminal justice system. "It's pure desperation because they have nowhere to go and no one on whom to lean," he said.

In Michigan more than 1,000 youth emancipate from foster care each year, he added.

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**MIRS**

**February 21, 2006**

## **Low-Income Energy Efficiency Grants Awarded**

Seven organizations are receiving \$25 million in grants from the Public Service Commission (MPSC) to help low-income utility customers with their bills.

The biggest chunk--\$15 million--is going to the Department of Human Services (DHS) for the State Emergency Relief and Energy Direct program to prevent energy shutoff. Another \$5 million is going to help folks in arrearages.

The Michigan Community Action Agency Association (MCAAA) is receiving \$1.3 million for low-income direct energy assistance and \$200,000 to provide a two-to-one match for funds raised locally through the Walk for Warmth project.

Others receiving awards included:

- The Heat and Warmth Fund (THAW): \$1.5 million for its Low Income/Energy Efficiency program.
- Salvation Army: \$1.5 million to serve households statewide ineligible for DHS assistance
- Newaygo County: \$200,000 to assist clients in a 10-county area ineligible for the State Emergency Relief Program
- Downriver Community Conference: \$200,000 for energy assistance to low-income households in the Monroe and southern Wayne County areas
- Lighthouse Emergency Services: \$100,000 to assist clients in the City of Pontiac and Oakland County who are ineligible for DHS

According to MPSC Chairman J. Peter **LARK**, the additional \$25 million in low-income assistance grants was expedited by the Commission in recognition of "the critical need for additional heating assistance yet this heating season" due to the drop in temperatures and increase in heating bills.

In other action, the MPSC authorized the Indiana Michigan Power Company to implement its 2006 power supply cost recovery (PSCR) factors in its Three Rivers and St. Joseph rate areas. In St. Joseph, the utility can charge a PSCR factor of up to 2.68 mills per kilowatt-hour and in Three Rivers a PSCR factor of up to .59 mills per kilowatt-hour.

## Community grants help make hard lives easier

### Funds that aid seniors, poor could be cut

*February 22, 2006*

*BY KIM NORTH SHINE, BILL LAITNER and NAOMI R. PATTON  
FREE PRESS STAFF WRITERS*

For at least four years, the pipes in John Hooks' Roseville home froze in the winter, cutting off his water supply until spring warmth returned.

It's a hard way to live at any age, but Hooks, who says he's 101, relied on a hired caretaker and cook to cart in fresh water.

The rough way of life ended a few weeks ago when Habitat for Humanity and the City of Roseville fixed Hooks' plumbing by using a \$1,000 Community Development Block Grant.

"He needed it so bad. ... It was so hard to live that way," his caretaker Queenie Manuel said last week. She is 71, lives nearby in Roseville and had a difficult time lugging in water for Hooks' baths, toilet, meals and dishes.

Even if Hooks is extraordinary in age, his story of need -- and help -- is not.

Local government officials are quick to praise Community Development Block Grants, commonly known as CDBGs, but Bush administration officials have said they are potentially wasteful, lacking accountability and in need of an overhaul, if not elimination.

President George W. Bush's proposed budget for the upcoming fiscal year calls for a cut in CDBGs, from about \$3.7 billion to about \$2.7 billion. Some 3,300 communities nationwide share the money and are looking at a significant cut for the third year in a row.

"This is a terrible thing. It will really do serious damage to low-income communities, to the senior population, to the disabled population, troubled youth and battered and abused folks," Karry Rieth, manager of Community and Home Improvement for Oakland County, said last week.

The Bush administration has said the money would be better spent on job creation and job training, assisting homeless people and people with HIV or AIDS and on expanding programs that help people with low incomes become homeowners.

CDBG money is currently used in a variety of ways. In metro Detroit, the funds have paid for rehabilitating homes and streets in low-income neighborhoods, building activity centers for senior citizens and youths, economic revitalization programs and social service agencies.

The Michigan Municipal League, which represents more than 500 cities in the states on issues that may affect them, is opposed to further cuts.

Congress must still vote on the proposed budget. And a key player in the CDBG debate is expected to be U.S. Rep Joe Knollenberg, R-Bloomfield Hills, who chairs the appropriations subcommittee where the Housing and Urban Development budget -- which includes CDBG funds -- will be debated.

#### **Meeting the 'greatest need'**

CDBGs work like a philanthropic arm of local government by letting city, county and state officials choose which people and which projects most need the federal dollars distributed each year by HUD.

In Roseville, the city is expecting to lose about \$70,000.

"If it was just the City of Roseville saying our funding will decrease, we might get help from the nonprofits or find the money somewhere else," I.J. Campbell, Roseville's CDBG program administrator said last week. "But ... it's the entire state."

Federal officials said the money will be redirected to meaningful programs.

Claude Allen, then domestic policy adviser to Bush, told reporters at a news conference earlier this month that more of the program's base funding will go to communities that have "the greatest need," while additional funds would be available for "communities that demonstrate the greatest progress in expanding homeownership and opportunity for their residents."

### **In a jam, grants come through**

CDBG cuts can get bogged down by numbers and processes, but behind them are real people, such as Hooks and Ferndale resident Dave Elwell.

Elwell, 37, was out of a job after being laid off by his employer in 2004. His fiancée is partly disabled and was working part-time at a grocery store when their furnace went out in December. After two weeks of shivering, he called the Oakland County Department of Home Improvement, which referred him to the City of Ferndale.

"We were really in a jam, and they came through and helped us out," said Elwell, who has started a new job at less pay.

Jim Inglis, Livonia Housing Commission director, said he is already looking for ways to make sure CDBG cuts are less painful. This year, he said, the commission faces a drop of \$50,000. CDBG money there funds nearly a dozen programs, including senior transportation, mental health counseling for teens and an emergency utility fund service that keeps people from having their utilities cut off.

"My preference would be that I'd rather not eliminate a program," Inglis said last week.

The commission can't turn to the cash-strapped city for money, he said, but it has applied for a \$25,000 Michigan Public Service Commission grant to help fund the utility program.

Even as planners brace for cuts, they realize their belief in the program is not universal.

"Who knows who's right? It's a difference in perspective," Mile Rozny, Macomb County's manager of community development services and CDBG spending, said last week.

"On the one hand, the Bush administration is focused on job creation. On the other, we need to continue a broad based program that really works in communities."

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# Walk for Warmth will take place Saturday in six area locations

Wednesday, February 22, 2006

By JERRY NUNN  
BAY CITY TIMES WRITER

Laid up and out of work due to a spinal cord injury, Terry Watson of Essexville had nearly nowhere to turn when his furnace went on the fritz.

Unqualified for many government programs and turned away by others that lacked funds, Watson and his wife, Vickie, sought the assistance of the Mid Michigan Community Action Agency.

"Without them, I don't know what I would have done," said Watson, explaining that the agency paid \$400 to repair his furnace. "We would have gone without food or medicine or something, I guess."

Watson is typical of those who receive help to cover heating costs each year from the agency. And Saturday's 15th annual Walk For Warmth is the event the agency uses to raise the money that helps people like Watson, according to Patty Gutcheck, outreach coordinator for the agency's Bay County office.

Walk for Warmth is a statewide effort to raise money to assist in home heating emergencies. Bay County's walk is one of six walks scheduled to take place Saturday. The Mid Michigan Community Action Agency also will conduct walks in Clare, Gladwin, Mecosta, Midland and Osceola.

"The people we often serve are those who would not fit in a government program. It is at my discretion how we use this money," Gutcheck said.

That flexibility is crucial to the program's success, Gutcheck added, telling of a single mother of two who's high income disqualified her from other assistance even though an illness had kept her home from work for two months.

"She was the sole earner of her family. I was able to help her with a utility bill and get her back on her feet," Gutcheck said.

"A lot of times it is only \$100 or \$200, or I may pay up to \$400 to fix a furnace," she added.

Lori Lumsden of Bay City is grateful for those who help raise money during the annual Walk for Warmth because she knows how important that money can be.

Lumsden found herself in a tight spot when her heating bill exceeded \$700 and her power company threatened to shut her off, she said.

The single mother of a 12-year-old said she still recalls the moments of fear before learning about Mid Michigan Community Action Agency.

"I still don't know what I would have done. I imagine I would have lost my heat," Lumsden said.

As the Walk For Warmth gets under way Saturday, organizers say they have but one goal in mind: preventing area residents such as Watson and Lumsden from being left out in the cold.

Last year's walks raised \$86,490 and lent assistance to 462 households across mid-Michigan.

Gutcheck describes her clients as folks who can make it on their own but fell behind for reasons beyond their control.

Those the agency helps become its most ardent supporters, Gutcheck said, and this weekend's event, complete with refreshments, prizes and entertainment, is planned with families in mind.

- Jerry Nunn is a staff writer for The Times. He can be reached at 894-9647 or by e-mail at [jnunn@bc-times.com](mailto:jnunn@bc-times.com)